

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DURAMED PHARMACEUTICALS,	)	3:08-CV-0116-LRH (RAM)
INC.,	)	
	)	<u>MINUTES OF THE COURT</u>
Plaintiff,	)	
	)	December 16, 2008
vs.	)	
	)	
WATSON LABORATORIES, INC.,	)	
	)	
Defendant.	)	
	)	

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PRESENT: THE HONORABLE ROBERT A. McQUAID, JR., U.S. MAGISTRATE JUDGE

DEPUTY CLERK: JENNIFER COTTER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiff Duramed Pharmaceuticals, Inc. has filed a Motion to Compel Production of Documents and Responses to Interrogatories (Doc. #57). Defendant Watson Laboratories, Inc. has opposed the Motion (Doc. #61) and Plaintiff has replied (Doc. #65).

Defendant Watson Laboratories, Inc. has also filed a Motion for Production of Documents (Doc. #58) and Plaintiff has opposed the Motion (Doc. #69).

Both Motions (Doc. #57 and Doc. #58) shall be denied without prejudice for failure to comply with the Local Rules of Practice.

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LR 26-7 provides that “Discovery motions will not be considered unless a statement of moving counsel is attached thereto certifying that, after personal consultation, and since effort to do so, counsel have been unable to resolve the matter without court action.”

The affidavits and documents attached to each of the discovery motions indicate that there was an initial telephone conference between counsel followed by a series of emails and/or letters back and forth culminating in the filed motions. The Rule requires “personal consultation and sincere effort” to resolve the discovery dispute and letters and emails back and forth between counsel do not meet this requirement.

Any further discovery motions filed in this case without complying with the “personal consultation and sincere effort” requirement of the Local Rule will be subject to sanctions.

Plaintiff’s Motion to Compel Production of Documents and Responses to Interrogatories (Doc. #57) and Defendant’s Motion to Compel Production of Documents (Doc. #58) are DENIED without prejudice.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: \_\_\_\_\_/s/  
Deputy Clerk